

MEETING MINUTES
WATER QUALITY ASSURANCE REVOLVING FUND ADVISORY BOARD
Salt River Project, 1521 N. Project Drive, Mohave Room, Tempe, Arizona
January 27, 2006

Board Members in attendance:

Kelly Barr	Karen Gaylord
Tamara Huddleston	Richard Bark
Don Richey	Frank Corkhill
Karen O'Regan	Rick Lavis
Dr. Bridget Bero	Steve Besich
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Board Members Absent:

Lee Stein	Glinda Oakes
Jim Vieregg	Jennifer Boucek
Nicholas Wallwork	Manuel Ramirez
Karen Masbruch	

The meeting was called to order at 9:10

I. Welcome/Opening Comments/Administrative Issues-

- A. Meeting Schedule** – Chairman Lavis discussed the upcoming schedule for the rest of the 2006 WQARF Board Meetings. He stated that meetings will be held in January, February, April, June, September, and October. There will be no meetings in March, May, July, August, November and December.
- B. Board Appointments** – Chairman Lavis reported that eight Board members are up for re-appointment. He stated that all eight have been recommended for reappointment and all eight have indicated that they would accept if reappointed.
- C. 2007 WQARF Budget** – Chairman Lavis indicated that the Governor's proposed WQARF budget for 2007 is \$15 million. However, he stated that the Joint Legislative Budget Committee has recommended only \$11 million including a statutory change from a \$15 million allocation to an \$11 million allocation.
- D. Receipt of Annual DWR WQARF Report (2005)** – Chairman Lavis stated that Herb Guenther submitted the annual report to the Board and it was circulated to the Board for review. Chairman Lavis requested ADEQ to send a letter acknowledging receipt of the report.

II. Approval of October 28, 2005 minutes – Mrs. Karen O'Regan made a motion to adopt the October 24, 2005 minutes as drafted and Ms. Bridget Bero seconded the motion. All were in favor to approve the minutes as drafted.

III. Special Report -

A. Request by Senator Burns

- 1. Response** –Chairman Lavis discussed a letter that Senator Burns sent to him on November 28, 2005 regarding the progress at WQARF sites. He indicated that this letter was drafted with the assistance of Mr. Richard Bark in order to help obtain full funding for WQARF as well as to obtain funds taken due to the budget shortfalls. Chairman Lavis also stated that he sent a memo to Mr. Don Richey requesting assistance in preparing a response to Senator Burns. He indicated that Mr. Richey provided a response to him on December 16, 2005, but he did not provide it to Senator Burns. Mr. Richey handed out and discussed several documents from the ADEQ response to Senator Burns' request including: 1) a memo with written responses; 2) a simplified WQARF process flow chart; and 3) a spreadsheet that detailed the phase of work each site was in and other responses to Senator Burns' request.

Discussion ensued on the content of the spreadsheet and possible improvements in content and formatting. Mr. Richard Bark suggested changes to the flow chart related to early response actions (ERAs). Ms. Gaylord commented that ERAs were developed due to a decrease of allocation of funds and resources and suggested that Column 11 of the chart did not adequately reflect the lack of funding as one of the reasons for ADEQ not being able to move forward. Ms. O'Regan discussed how the legislature may have difficulty getting through the report due to its length. Ms. O'Regan suggested that ERAs be listed as success stories because people were protected, risk was reduced, and water was treated. Dr. Bridget Bero recommended focusing on the amount of risk reduced to date for the respective sites. Others recommended that a summary chart be prepared of the quantities of contamination removed from the environment. Mr. Richey stated that ADEQ was somewhat limited in how to prepare the flow chart and table as they were prepared to respond to Senator Burns' request. Mr. Richey agreed that modifications could be helpful to present the information differently and he agreed to discuss any necessary changes to the flow chart and the spreadsheet for future discussions with Mr. Bark and anyone interested.

- 2. Site Clean Up Process** – Discussion was held on how the increase in funds would aid the program and how to support an increase of funds. Further discussion was held on the WQARF process and how an increase in the 2007 budget would move sites further into the process.

IV. Departmental Reports

A. DEQ – Mr. Richey presented an overview of the ADEQ report. He stated that there will be an invitation from the Metro Water District to hold a Board meeting at their facility in Tucson. This invitation would coincide with an open house/ceremony for the Shannon Road/El Camino del Cerro early response action. Mr. Richey indicated that he would provide more details as they become available, but this would be a good chance for the Board to go to Tucson as well as attend an important ceremony.

B. DWR – Mr. Corkhill presented an overview of the ADWR report.

- 1. Well Spacing Rule** – Mr. Corkhill reported that the last meeting was held in December and the rules will be moving forward. Discussion ensued about the impacts of these rules on the WQARF rules. Mr. Richey stated that ADEQ has worked with ADWR to minimize the impacts, but the rules still provide for the denial of a new well if the new well would cause impacts to an existing well and those impacts could not be mitigated by WQARF or other means. He indicated that this denial is inconsistent with the WQARF rules because new WQARF is not designed to restore aquifers. New WQARF is designed to provide for uses and this denial could render the WQARF process meaningless if WQARF did not have the funds to mitigate impacts to the existing well. Mr. Richey stated that the impacts of the ADWR rules to the WQARF rules may be as a result of inconsistencies in the governing statutes. Ms. O'Regan indicated that the City of Phoenix provided comments in opposition to the rule and Chairman Lavis asked that the City of Phoenix comments be copied to the Board. Chairman Lavis also requested that the Legislative Committee conduct a review of the statutes governing the WQARF process and the ADWR well spacing rule and report back to the Board.

V. Discussion: Department & Board Priorities. – Postponed.

VI. Committee Reports

A. Budget & Finance Committee –

- 1. Monthly Financial Reports-** Chairman Lavis stated the reports were enclosed in Board members packets.
- 2. 2007 Budget Proposal** – Chairman Lavis indicated that the Board is preparing to request \$15 million and will need the 2007 budget proposal to provide justification for the amount.
- 3. New 10 year Long Plan** – Chairman Lavis requested that the 10 year plan be provided to the Board at the next meeting. Mr. Richey reported that they should be available for the next meeting.

B. Legislative Committee – Mr. Bark stated a meeting will be held with Senator Burns on how to best proceed with his request as well as on the proposed statutory change by JLBC to reduce the annual funding to WQARF from \$15 million to \$11 million.

C. Funding Priorities Committee

- 1. Revision of E & E Model** – Ms. Gaylord presented a summary of the current scoring model to assess risk at sites and described ongoing efforts to revise the model. She reported that the next meeting will be held either February 7th or the 14th to discuss revisions to the model.

VII. Other Business – None.

VIII. Public Comment - None

VIII. Adjournment- Ms. O'Regan made a motion to adjourn and it was seconded by Mr. Bark. All were in favor of the motion.